

various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have decided that it is necessary to continue the national emergency declared with respect to the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, June 10, 2003.

MESSAGE FROM THE HOUSE

At 2:19 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill and joint resolution, each without amendment:

S. 763. An act to designate the Federal building and United States courthouse located at 46 Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse."

S.J. Res. 8. A joint resolution expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1610. An act to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the "Walt Disney Post Office Building."

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 162. A concurrent resolution honoring the city of Dayton, Ohio, and its many partners, for hosting "Inventing Flight: The Centennial Celebration," a celebration of the centennial of Wilbur and Orville Wright's first flight.

The message also announced that pursuant to 22 U.S.C. 276th and the order of the House of January 8, 2003, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group, in addition to Mr. KOLBE of Arizona, Chairman, appointed on March 13, 2003: Mr. BALLENGER of North Carolina, Vice Chairman; Mr. DREIER of California; Mr. BARTON of Texas; Mr. MANZULLO of Illinois; Mr. WELLER of Illinois; Ms. HARRIS of Florida; Mr. STENHOLM of Texas; Mr. FALEOMAVAEGA of American Samoa; Mr. PASTOR of Arizona; Mr. FILNER of California; Mr. REYES of Texas.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

S. 222. An act to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, Arizona, and for other purposes.

S. 273. An act to provide for the expeditious completion of the acquisition of land owned by the State of Wyoming within the boundaries of Grand Teton National Park, and for other purposes.

MEASURES REFERRED

The following bill, previously received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and referred as indicated:

H.R. 1954. An act to revise the provisions of the Immigration and Nationality Act relating to naturalization through service in the Armed Forces, and for other purposes; to the Committee on the Judiciary.

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1610. An act to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the "Walt Disney Post Office Building"; to the Committee on Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 162. Concurrent resolution honoring the city of Dayton, Ohio, and its many partners, for hosting "Inventing Flight: The Centennial Celebration", a celebration of the centennial of Wilbur and Orville Wright's first flight; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1215. A bill to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2652. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, the report relative to the funding of the State of New York as a result of record/near record snowstorms on December 25-26, 2002, and January 3-4, 2003, has exceeded \$5,000,000; to the Committee on Environment and Public Works.

EC-2653. A communication from the Director, Human Resources Management, Department of Energy, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Chief Financial Officer for the Office of Management, Budget and Evaluation; to the Committee on Energy and Natural Resources.

EC-2654. A communication from the Secretary of Energy, transmitting, pursuant to law, the Annual Report for the Strategic Petroleum Reserve, covering calendar year 2002; to the Committee on Energy and Natural Resources.

EC-2655. A communication from the President, The Foundation of the Federal Bar Association, transmitting, pursuant to law, the report Audit Report of the Foundation of the Federal Bar Association for the Fiscal Year ending September 30, 2002; to the Committee on the Judiciary.

EC-2656. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Resolution, the report on recent developments in Liberia and Mauritania and the activities to insure the safety of The United States Embassy and Embassy Staff located in those countries; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-127. A resolution adopted by the House of the State of Hawaii relative to improving benefits for Filipino Veterans of World War II; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION No. 75

Whereas, on January 7, 2003, Senator Daniel K. Inouye introduced S. 68 in the United States Senate, which bill was read twice and then referred to the Committee on Veterans' Affairs; and

Whereas, S. 68 proposes to amend title 38 of the United States Code, to improve benefits for Filipino veterans of World War II and for the surviving spouses of those veterans; and

Whereas, S. 68 would increase the rate of payment of compensation benefits to certain Filipino veterans, designated in title 38 United States Code section 107(b) and referred to as New Philippine Scouts, who reside in the United States and are United States citizens or lawful permanent resident aliens; and

Whereas, S. 68 would further increase the rate of payment of dependency and indemnity compensation of surviving spouses of certain Filipino veterans; and

Whereas, S. 68 would further make eligible for full disability pensions certain Filipino veterans who reside in the United States and are United States citizens or lawful permanent resident aliens; and

Whereas, S. 68 would further mandate the Secretary of Veterans Affairs to provide hospital and nursing home care and medical services for service-connected disabilities for any Filipino World War II veteran who resides in the United States and is a United States citizen or lawful permanent resident alien; and

Whereas, S. 68 would further require the Secretary of Veterans Affairs to furnish care and services to all Filipino World War II veterans for service-connected disabilities and nonservice-connected disabilities residing in the Republic of the Philippines on an outpatient basis at the Manila VA Outpatient Clinic; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii. Regular Session of 2003, That the United States Congress is respectfully urged to support the passage of S. 68 to improve benefits for certain Filipino veterans of World War II; and

Be it further resolved, That certified copies of this Resolution be transmitted to the

President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Hawaii congressional delegation and the Secretary of Veterans Affairs.

POM-128. A joint resolution adopted by the Legislature of the State of Washington relative to restoring the deduction of retail sales tax under the federal income tax; to the Committee on Finance.

SENATE JOINT MEMORIAL 8003

Whereas, The federal tax reform act of 1986 put additional financial stress on the taxpayers of the state of Washington by eliminating the retail sales tax deduction; and

Whereas, Taxpayers in other states may deduct major state taxes in determining federal income tax; and

Whereas, Taxpayers of the state of Washington would realize substantial reductions in federal tax burdens if they could deduct retail sales taxes; and

Whereas, Congress is in the process of consideration tax reduction proposals; and

Whereas, Congress could easily relieve the burden on taxpayers of the state of Washington by restoring the full retail sales tax deduction;

Now, therefore, Your Memorialists respectfully pray that the United States restore the deduction of retail sales tax under the federal income tax.

Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-129. A concurrent resolution adopted by the legislature of the State of Louisiana relative to provisions of the Internal Revenue Code which provide for the taxation of Social Security income; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 6

Whereas, current provisions of the Internal Revenue Code provide for the taxation of up to eighty-five percent of income derived from Social Security benefits; and

Whereas, Social Security payments are often the primary income of retirees; and

Whereas, retired persons are citizens who can least afford a reduction in income; and

Whereas, retired persons are currently facing increased costs of living, including increased costs of prescription drugs; and

Whereas, other measures currently being reviewed by congress to stimulate the economy do not address the needs of low- and middle-income retired persons.

Therefore, be it resolved, That the Louisiana Legislature does hereby memorialize the United States Congress to repeal the provisions of the Internal Revenue Code which provide for the taxation of Social Security income.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-130. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to reviewing and consider eliminating the provisions of law which reduce or totally eliminate social security benefits for those persons who also receive a state or local government retirement benefit; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 39

Whereas, the Congress of the United States has enacted both the Government Pension

Offset (GPO), which reduces the spousal and widow(er)s social security benefit, and the Windfall Elimination Provision (WEP), which reduces the earned social security benefit for persons who also receive a state or local government retirement; and

Whereas, the intent of Congress in enacting the GPO and WEP provisions was to address concerns that public employees who had worked primarily in state and local government employment receive the same benefit as workers who had worked in social security employment throughout their careers, thereby providing a disincentive to "double-dipping"; and

Whereas, the GPO affects a spouse or widow(er) receiving a state or local government retirement benefit who would also be entitled to a social security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or widow(er)s social security benefit by two-thirds of the amount of the state or local government retirement benefit received by the spouse or widow(er), in many cases completely eliminating the social security benefit; and

Whereas, the WEP applies to those persons who have earned a state or local government retirement benefit in addition to having the necessary credits earned in social security employment; and

Whereas, the WEP reduces the earned social security benefit by using a modified formula of the averaged indexed monthly earnings, which may reduce the earned social security benefits by as much as fifty percent; and

Whereas, the GPO and WEP have a disproportionately negative effect on employees working in lower-wage government jobs, such as policemen, firefighter, teachers, and municipal, parochial, and state employees; and

Whereas, these provisions also affect more women than men because of the gender differences in salary that continue to exist across of nation; and

Whereas, Louisiana is making every effort to improve the quality of life of her citizens, to encourage them to remain here lifelong, and to provide for them in their retirement years.

Therefore, be it resolved, that the Legislature of Louisiana does hereby memorialize the Congress of the United States to review and consider eliminating the GPO and WEP social security benefit reductions.

Be it further resolved, That a copy of the Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of American and to each member of the Louisiana congressional delegation.

POM-131. A concurrent House resolution adopted by the Legislature of the State of Louisiana relative to the Pledge of Allegiance; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 121

Whereas, Louisiana is one of numerous states in which students recite the Pledge of Allegiance in public schools; and

Whereas, the practice of including "under God" in the Pledge was established by federal law decades ago and reaffirmed by a new federal law just last year; and

Whereas, recent polls indicate that up to ninety percent of the public is overwhelmingly in favor of allowing students to recite the Pledge of Allegiance; and

Whereas, Constitution signer George Washington declared, "the fundamental principle of our Constitution . . . enjoins [requires] that the will of the majority shall prevail," and Thomas Jefferson pronounced, "the will of the majority [is] the natural law of every

society [and] is the only sure guardian of the rights of man"; and

Whereas, Thomas Jefferson also stated, "A judiciary independent . . . of the will of the nation is a solecism—at least in a republican government"; and

Whereas, the United States Court of Appeals for the Ninth Circuit has violated these fundamental principles and abrogated the "consent of the governed" as set forth in our governing documents; and

Whereas, the will of the people can be protected against further judicial usurpation by the federal courts on this issue through congressional action to limit the jurisdiction of the federal courts as explicitly set forth in the Constitution in Article III, Section 2, Paragraph 2 (federal courts "shall have appellate jurisdiction both as to law and fact with such exceptions and under such regulations as Congress shall make"); and

Whereas, the intent of the Framers regarding this power of Congress to limit judicial overreach was clear, such that Samuel Chase, a signer of the Declaration of Independence and a United States Supreme Court Justice appointed by President George Washington, declared, "The notion has frequently been entertained that the federal courts derive their judicial power immediately from the Constitution; but the political truth is that the disposal of the judicial power (except in a few specified instances) belongs to Congress. If Congress has given the power to this court, we possess it, not otherwise"; and

Whereas, Justice Joseph Story, in his authoritative Commentaries on the Constitution, similarly declared, "In all cases where the judicial power of the United States is to be exercised, it is for Congress alone to furnish the rules of proceeding, to direct the process, to declare the nature and effect of the process, and the mode, in which the judgments, consequent thereon, shall be executed . . . And if Congress may confer power, they may repeal it . . . The power of Congress [is] complete to make exceptions"; and

Whereas, this position is confirmed not only by signers of the Constitution such as George Washington and James Madison but also by other leading constitutional experts and jurists of the day, including Chief Justice Oliver Ellsworth, Chief Justice John Marshall, Richard Henry Lee, Robert Yates, George Mason, and John Randolph; and

Whereas, the United States Supreme Court has long recognized and affirmed this power of Congress to limit the appellate jurisdiction of the federal courts, as in 1847 when the court declared that the "court possesses no appellate power in any case unless conferred upon it by act of Congress" and in 1865 when it declared "it is for Congress to determine how far . . . appellate jurisdiction shall be given; and when conferred, it can be exercised only to the extent and in the manner prescribed by law"; and

Whereas, congress has on numerous occasions exercised this power to limit the jurisdiction of federal courts, and the Supreme Court has consistently upheld this power of congress in rulings over the last two centuries, including cases in 1847, 1866, 1868, 1878, 1882, 1893, 1898, 1901, 1904, 1906, 1908, 1910, 1922, 1926, 1948, 1952, 1966, 1973, 1977, and others; and

Whereas, it is Congress alone that can remedy this current crisis and return to the states the power to make their own decisions on recitation of the Pledge of Allegiance in public schools.

Therefore, be it resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to limit the appellate jurisdiction of the federal courts regarding the recitation of the Pledge of Allegiance in public schools.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding

and chief clerical officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-132. A concurrent resolution adopted by the Legislative of the State of Texas relative to Federal income tax; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, Current federal tax provisions place an arbitrary state cap on the volume of private activity bonds, which hinders the ability of Texas to meet its rapidly growing water infrastructure needs; and

Whereas, Private activity bonds afford a cost-effectiveness, nonrecourse means of financing the development of adequate wastewater and drinking water facilities for the future and minimize and drinking facilities for the future and minimize the risk to the ratepayer; and

Whereas, Other sources of municipal infrastructure financing, such as general obligation bonds, revenue bonds, enterprise bonds, and loans under the federal Environmental Protection Agency's state revolving loan fund program, are insufficient to allow Texas to comply with new federal environmental and public health mandates; and

Whereas, The cap on the volume of private activity bonds forces water and wastewater projects to compete with other projects in Texas without regard to the urgent priority of protecting public health and the environment; and

Whereas, Private activity bonds foster innovative public-private partnerships and help them develop cost-effective projects for the construction of sewage and drinking water facilities and the rehabilitation and upgrade of existing water infrastructure; and

Whereas, Removing the financing cap would give public officials the maximum number of tools for meeting the growing public demand for water services while ensuring compliance with federal environmental and public health laws; now, therefore, be it

Resolved, That the 78th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds not apply to bonds for water and wastewater facilities; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the Speaker of the house of representatives and the president of the Senate of the United States Congress, and to all the members of the Texas delegation to the Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-133. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the establishment of State-Province relations between the State of Hawaii of the United States and the Province of Ilocos Norte of the Republic of the Philippines; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, the State of Hawaii is actively seeking to expand its international ties and has an abiding interest in developing goodwill, friendship, and economic relations between the people of Hawaii and the people of Asian and Pacific countries; and

Whereas, as part of its effort to achieve this goal, Hawaii has established a number of sister-state agreements with provinces on the Pacific region; and

Whereas, because of the historical relationship between the United States of America and the Republic of the Philippines, there continue to exist valid reasons to promote international friendship and understanding for the mutual benefit of both countries to achieve lasting peace and prosperity as it serves the common interests of both countries; and

Whereas, there are historical precedents exemplifying the common desire to maintain a close cultural, commercial, and financial bridge between ethnic Filipinos living in Hawaii with their relatives, friends, and business counterparts in the Philippines, such as the previously established sister-city relationship between the City and County of Honolulu and the City of Cebu in the Province of Cebu; and

Whereas, similar state-province relationship exist between the State of Hawaii and the Provinces of Cebu and Ilocos Sur, whereby cooperation and communication have served to establish exchanges in the areas of business, trade, agriculture and industry, tourism, sports, health care, social welfare, and other fields of human endeavor; and

Whereas, a similar sister-state relationship would reinforce and cement this common bridge for understanding and mutual assistance between ethnic Filipinos of both the State of Hawaii and the Province of Ilocos Norte; and

Whereas, there is an existing relationship between the Province of Ilocos Norte and the State of Hawaii because several notable citizens of Hawaii can trace their roots or have immigrated from the Province of Ilocos Norte, including the city of Laoag; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, the Senate concurring, That Governor Linda Lingle of the State of Hawaii, or her designee, be authorized and is requested to take all necessary actions to establish a state-province affiliation with the Province of Ilocos Norte in the Republic of the Philippines; and

Be it further resolved, That the Governor or her designee is requested to keep the Legislature of the State of Hawaii fully informed of the process in establishing the relationship, and involved in its formalization to the extent practicable; and

Be it further resolved, That the Province of Ilocos Norte be afforded the privileges and honors that Hawaii extends to its sister-states and provinces;

Be it further resolved, That this state-province relationship shall continue until July 1, 2008; and

Be it further resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the Governor of the State of Hawaii, the President of the United States Senate, the Speaker of the United States House of Representatives, Hawaii's Congressional delegation, the President of the Republic of the Philippines through its Honolulu Consulate General, and the Governor and Provincial Board of the Province of Ilocos Norte, Republic of the Philippines.

POM-134. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to fully funding the Millennium Challenge Account; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 28

Whereas, in September 2000, the United Nations General Assembly adopted the United Nations Millennium Declaration, a resolution establishing international development goals to reduce poverty and improve lives,

now known as the Millennium Development Goals; and

Whereas, members of the United Nations, including the United States, pledged to meet established benchmark for the Millennium Development Goals by 2015 to:

(1) Reduce by fifty per cent the proportion of people living in extreme poverty and suffering from hunger;

(2) Achieve universal primary education by ensuring that all boys and girls complete primary school;

(3) Promote gender equality and empower women by eliminating disparities in primary and secondary education at all levels;

(4) Reduce child mortality by two-thirds among children under five years old;

(5) Improve maternal health by reducing the ratio of women's death during childbirth by seventy-five per cent;

(6) Combat HIV/AIDS, malaria, and other diseases by reversing the spread of HIV/AIDS, malaria, and other major diseases;

Whereas, it is critical that initiatives and programs funding through the Millennium Challenge Account include activities that enable women to play active roles in the economic and civic activities of their countries; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, the Senate concurring, That the United States Congress is urged to fully fund the Millennium Challenge Account to enable poor and hungry people around the globe become self-reliant; and

Be it further resolved, That as the Millennium Challenge Account is implemented, it is crucial that our leaders understand and require that women be involved in all phases of establishment and implementation of programs funded to achieve the Millennium Development goals; and

Be it further resolved, That adequate funding and meaningful participation of women and girls are essential for successful development assistance programs in poor nations; and

Be it further resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.

POM-135. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the establishment of State-Province relations between the State of Hawaii of the United States and the Province of Thua Thien-Hue of the Socialist Republic of Vietnam; to the Committee on Foreign Relations.

HOUSE RESOLUTION

Whereas, the State of Hawaii is actively seeking to expand its international ties and has an abiding interest in developing goodwill, friendship, and economic relations between the people of Hawaii and the people of Asian and Pacific countries; and

Whereas, as part of its effort to achieve this goal, the State has established a number of sister-state agreements with provinces in the Pacific region; and

Whereas, because of the historical relationship between the United States of America and the Socialist Republic of Vietnam, there are compelling reasons to promote international friendship and understanding for the mutual benefit of both countries to achieve lasting peace and prosperity, as it serves the common interests of both countries; and

Whereas, there are historical precedents exemplifying the common desire to maintain

a close cultural, commercial, and financial bridge between ethnic Vietnamese living in Hawaii with their relatives, friends, and business counterparts in Vietnam, such as the previously established sister-city relationship between the City and County of Honolulu and the city of Hue, which is the capital of the Province of Thua Thien-Hue; and

Whereas, a similar state-province relationship between the State and the Province of Thua Thien-Hue, whereby exchanges and cooperation could be established in the areas of business, trade, agriculture, environmentally and culturally sensitive tourism, sports, public health, education, economic development and humanitarian assistance would reinforce and cement this common bridge of understanding and mutual assistance between the ethnic Vietnamese of both the State and the Province of Thua Thien-Hue; and

Whereas, the Province of Thua Thien-Hue, like Hawaii, has an agricultural economy that is based upon sugar cane, fruits, and flowers, and aquaculture crops, such as shrimp; and

Whereas, the city of Hue, capital of the Province of Thua Thien-Hue has been designated as a World Heritage Site by the United Nations Educational, Scientific, and Cultural Organization because its cultural and natural properties are considered to be of outstanding universal value and must be protected; and

Whereas, the Province of Thua Thien-Hue's unique cultural and historical significance and natural beauty are important resources on which to base an environmentally and culturally sensitive tourism industry; and

Whereas, Hawaii's long experience and expertise in tourism, agriculture, and aquaculture could be shared with the Province of Thua Thien-Hue; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, That the Governor of the State of Hawaii or her designee is requested to take all necessary actions to establish a sister-state affiliation with the Province of Thua Thien-Hue in the Socialist Republic of Vietnam; and

Be it further resolved, That the Governor is requested to keep the Legislature fully apprised of any progress made in establishing the relationship in order that the Legislature may be involved in its formalization to the extent practicable; and

Be it further resolved, That the Province of Thua Thien-Hue be afforded the privileges and honors to which Hawaii extends to its other sister-states and provinces; and

Be it further resolved, That certified copies of this Resolution be transmitted to the President of the United States through the Secretary of State, the Governor of the State of Hawaii, the President of the United States Senate, the Speaker of the United States House of Representatives, Hawaii's congressional delegation, the President of the Socialist Republic of Vietnam through its San Francisco Consulate General, the Governor of the Province of Thua Thien-Hue, Socialist Republic of Vietnam, and the Director of Business, Economic Development, and Tourism.

POM-136. A resolution adopted by the House of the Legislature of the State of Hawaii relative to fully funding the Millennium Challenge Account; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 33

Whereas, in September 2000, the United Nations General Assembly adopted the United Nations Millennium Declaration, a resolution establishing international development

goals to reduce poverty and improve lives, now known as the Millennium Development Goals; and

Whereas, members of the United Nations, including the United States, pledged to meet established benchmarks for the Millennium Development Goals by 2015 to:

(1) Reduce by fifty percent the proportion of people living in extreme poverty and suffering from hunger;

(2) Achieve universal primary education by ensuring that all boys and girls complete primary school;

(3) Promote gender equality and empower women by eliminating disparities in primary and secondary education at all levels;

(4) Reduce child mortality by two-thirds among children under five years old;

(5) Improve maternal health by reducing the ratio of women's death during childbirth by seventy-five per cent;

(6) Combat HIV/AIDS, malaria, and other diseases by reversing the spread of HIV/AIDS, malaria, and other major diseases;

(7) Ensure environmental sustainability by introducing sustainable development principles to: reverse the loss of environmental resources; increase access to safe drinking water; and achieve significant improvements in the lives of at least one hundred million slum dwellers; and

(8) Develop a global partnership for development through reform of the trading system and financial system to allow poor nations to sell goods at fair prices to obtain financial resources to create stable economies and eliminate poverty; aiding to the special needs of least developed countries; addressing debt problems of developing countries; creating productive work for youth; increase access to affordable drugs; and make benefits of new technologies available; and

Whereas, in March 2002, President George W. Bush unveiled the Millennium Challenge Account, a plan to increase significantly development assistance to poor, developing countries by an additional \$10,000,000,000 in foreign assistance over fiscal years 2004-2006, ultimately doubling United States poverty-focused assistance when fully implemented; and

Whereas, initiatives to be funded through the Millennium Challenge Account have the potential to improve the nutrition, health care, education, and drinking water for millions of people in poor nations only if the Millennium Challenge Account is fully funded by Congress; and

Whereas, although studies uniformly report that the most effective use of international aid is the investment in women, the reports also indicate that women do not benefit from international development efforts unless they are included in all aspects of a development initiative from its beginning; and

Whereas, the involvement of women in any economic growth plan is critical because women and girls are more than half of the world's population and represent significantly more than half of the population in areas particularly devastated by prolonged conflict like Afghanistan; and

Whereas, it is critical that initiatives and programs funded through the Millennium Challenge Account include activities that enable women to play active roles in the economic and civic activities of their countries; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, That the United States Congress is urged to fully fund the Millennium Challenge Account to enable poor and hungry people around the globe become self-reliant; and

Be it further resolved, That as the Millennium Challenge Account is implemented, it

is crucial that our leaders understand and require that women be involved in all phases of establishment and implementation of programs funded to achieve the Millennium Development goals; and

Be it further resolved, That adequate funding and meaningful participation of women and girls are essential for successful development assistance programs in poor nations; and

Be it further resolved, That certified copies of this Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.

POM-137. A resolution adopted by the House of the Legislature of the State of Hawaii relative to International Women's Day; to the Committee on Foreign Relations.

Whereas, International Women's Day, celebrated throughout the world on March 8, is a time to: reflect on the status of women in the United States and around the world; assess progress made and remaining challenges; and recommit to women's human rights and the full empowerment of the world's women as the basis for truly sustainable social, economic, and political development of nations and communities; and

Whereas, 228,000,000 women are in need of effective contraceptive methods; and

Whereas, a woman dies every minute as a result of pregnancy and childbirth-related causes (approximately five hundred thousand women a year) and for every woman who dies, thirty other women are injured or disabled; and

Whereas, between seven hundred thousand and four million people—mainly women and children—are trafficked annually across international borders for sexual exploitation and forced labor; and

Whereas, fifty thousand to one hundred thousand women and girls are trafficked annually for sexual exploitation into the United States; and

Whereas, HIV/AIDS is a women's epidemic worldwide—with 19,200,000 women worldwide currently living with HIV/AIDS and 1,200,000 women dying of AIDS in 2002; and

Whereas, for the last several years, HIV/AIDS has been the fifth leading cause of death for women ages twenty-five to forty-four in the United States and the third leading cause of death for African American women in this same age group; and

Whereas, gender-based violence against women—including prenatal sex selection, female infanticide, sexual abuse, female genital mutilation, school and workplace sexual harassment, sexual trafficking and exploitation, prostitution, dowry-killings, domestic violence, battering, and marital rape—causes more death and disability among women in the fifteen to forty-four age group than cancer, malaria, traffic accidents, and even war; and

Whereas, approximately 4,800,000 rapes and physical assaults are perpetrated annually against women in the United States; and

Whereas, women in many countries lack rights to own land and inherit property, obtain credit, attend and stay in school, earn income, work free from job discrimination, and have access to services that meet their sexual and reproductive health needs; and

Whereas, 2,100,000,000 women around the globe live on less than two dollars a day, and women in the United States earn seventy-three cents on average for every dollar earned by men; and

Whereas, two-thirds of the 960,000,000 illiterate adults in the world are women and two-thirds of the 130,000,000 children not enrolled in primary school are girls; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, That this body urges the United States Senate to demonstrate our nation's commitment to human rights by ratifying the Convention on the Elimination of All Forms of Discrimination Against Women, joining one hundred seventy other nations in endorsing the most comprehensive treaty ensuring the fundamental human rights and equality of women; and

Be it further resolved, That the United States Congress is urged to affirm women's fundamental right to reproductive health, including the ability to choose the number of children they will have and the timing of their births, by funding high quality, voluntary family planning and reproductive health services that enable women to exercise this right; and

Be it further resolved, That certified copies of this Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and members of Hawaii's congressional delegation.

POM-138. A resolution adopted by the House of the Legislature of the State of Hawaii relative to the Global Gag Rule imposed on International Family Planning Organizations; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 34

Whereas, approximately 120 million couples in the third world lack access to modern contraception; and

Whereas, the United States provides family planning assistance funds to non-governmental organizations in fifty-nine countries; and

Whereas, these nations have a right to inform their own people about legal family planning options and to discuss changes in their family planning laws, in order to form their own policy and development, without interference by the United States; and

Whereas, the United States has interfered with these non-governmental organizations through the "global gag rule," by which the United States refuses to fund non-governmental organizations that provide legal abortion services, lobby their own governments for abortion law reform, or even provide accurate medical counseling or referrals regarding abortion, even if no United States money is used for those purposes; and

Whereas, in almost sixty per cent of these countries, abortion in some form is legal, yet the global gag rule prevents their non-governmental organizations from discussing the option of performing abortions, even if this is done with the non-governmental organizations' own funds and not with any United States funds; and

Whereas, in the countries where abortion is not legal, the global gag rule prevents the non-governmental organizations from speaking publicly about these issues to foster informed debate on abortion, even if this free speech is done with the non-governmental organizations' own funds; and

Whereas, in rural areas, often these non-governmental organizations are the only health care providers, so restricting their funding affects the health of all people in the community and forces the non-governmental organizations to make an immoral choice: either give up desperately needed funds for family planning services, or give up their right to free speech and to provide their patients with full and accurate medical information; and

Whereas, the "global gag rule" process hurts good family-planning work that has little to do with the rights of an unborn

child, as these family planning services address other health problems such as sexually transmitted diseases, which indirectly helps with economic stability in developing countries; and

Whereas, through the global gag rule, the United States government not only stifles free speech, but affirmatively discriminates against viewpoints it does not like, something that would be unconstitutional in its own country; and

Whereas, this gag rule was created by executive order of President Reagan in 1984; and

Whereas, President Clinton canceled the gag order in 1993, but reluctantly restored it for one year in 1999 in exchange for the Republicans in Congress agreeing to pay the United States' back dues to the United Nations; and

Whereas, President Bush reimposed the global gag rule by executive order in January 2001 and reaffirmed his opposition to reproductive rights in his state of the union address; and

Whereas, the gag order is consistent with the United States administration's recent announcement at an international conference that they support the "rhythm method" of contraception; and

Whereas, the global gag rule: undermines the human right to free speech, a right so vigorously championed by our government that it is part of our constitution; undercuts our foreign policy; and damages women's reproductive health; and

Whereas, this misguided policy would be illegal were it to be imposed in our own country, and it is unconscionable for the United States to force it on other countries; jeopardizing the health of millions of women and children; and

Whereas, the Legislature has already demonstrated its support for women's rights in the family context when it adopted House Resolution No. 15 during the 1999 Regular Session entitled "Urging the United States Senate to Ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women"; and

Whereas, legislation is pending in Congress to remove the global gag rule and permit the non-governmental organizations to provide appropriate and legal family planning service and information in their home countries; now, therefore,

Be it resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, That the United States Congress is hereby urged to support a ban on the global gag rule; and

Be it further resolved, That certified copies of this Resolution be transmitted to the President of the United States, Speaker of the United States House of Representatives, the President of the United States Senate, and the members of Hawaii's congressional delegation.

POM-139. A joint resolution adopted by the Legislature of the State of Washington relative to the Federal Energy Regulatory Commission; to the Committee on Energy and Natural Resources.

Whereas, The Federal Energy Regulatory Commission proposal establishing a standard market design (SMD) for electricity proceeds from the premise that a single market model will work for the entire nation, as a result it would fundamentally change the way the transmission system is operated, expand the Commission's authority in state decisions regarding resource adequacy and demand response, and dismantle the regional benefits derived from public power; and

Whereas, Washington state has a comprehensive electricity policy, which encourages efficiency while reflecting our unique resource base; and

Whereas, The Northwest electricity system is different from most of the rest of the nation, including substantial differences in the transmission ownership, a hydro-based system where the amount of energy generated is limited by the amount of water in the rivers and behind the dams, complex legal arrangements for multiple uses of the water to meet diverse goals (power, irrigation, fisheries, recreation, and treaty obligations), and a hydro-based system that requires substantial coordination among plant owners and utilities, rather than the competitive market-based structure the SMD promotes; and

Whereas, The Northwest electricity system has produced affordable, cost-based rates and reliable service for our region; and

Whereas, Deregulation broke up traditional regulated utilities in order to create trading markets with the promise of lower costs, more consumer choice, more reliability, and fewer government bailouts. It in fact produced higher prices, more manipulation of consumers, volatility, brownouts, and bailouts running into the tens of billions; and

Whereas, The SMD would harm consumers in our region through increased costs and decreased reliability;

Now, therefore, Your Memorialists respectfully pray that the Federal Energy Regulatory Commission leave the Northwest electricity system in place and withdraw the Notice of Proposed Rulemaking establishing a Standard Market Design (SMD) for electricity; and

Your Memorialists further pray that in the event that the Federal Energy Regulatory Commission does not withdraw its proposal, the President and Congress take action to prevent the Federal Energy Regulatory Commission from proceeding with their proposal.

Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Honorable Spencer Abraham, the Secretary of the United States Department of Energy, the Members of the Federal Energy Regulatory Commission, Chairman Patrick Wood, III, Commissioner Nora M. Brownell, and Commissioner William L. Massey, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-140. A resolution adopted by the Legislature of the State of Washington relative to the Federal Energy Regulatory Commission; to the Committee on Energy and Natural Resources.

SENATE JOINT MEMORIAL 8012

Whereas, The Federal Energy Regulatory Commission recently proposed a new pricing policy for the rates of transmission owners that transfer operational control of their transmission facilities to a Regional Transmission Organization. (RTO), form independent transmission companies within RTOs, or pursue additional measures that promote efficient operation and expansion of the transmission grid; and

Whereas, The proposed policy would create rate incentives based on an unproven theory that it will improve grid performance, reduce wholesale transmission and transactions costs, improve electric reliability, and make electric wholesale competition more effective; and

Whereas, The proposal offers a single model for the entire nation and fails to recognize regional differences in electricity generation and transmission or the benefits derived from public power; and

Whereas, Washington state has a comprehensive electricity policy, which encourages efficiency while reflecting our unique resource base; and

Whereas, The Northwest electricity system is different from most of the rest of the nation and has produced affordable, cost-based rates and reliable service for our region; and

Whereas, We believe the proposed pricing incentives would harm consumers in our region through increased costs without any positive cost-benefit analysis; and

Whereas, We believe the proposed pricing incentives will harm the investment climate for new electricity infrastructure in the region due to the Commission's inability to ensure delivery of the promised incentives, and because the incentives first apply to existing transmission and second to new investment, but only if a utility is a member of an RTO; and

Whereas, We believe the proposed pricing incentives will make more difficult the formation of any new regional transmission organization that is, in fact, well-designed to fit Northwest regional circumstances because the generic incentive is a new cost that outweigh any benefits of such an organization;

Now, therefore, Your Memorialists respectfully pray that the Federal Energy Regulatory Commission leave the Northwest electricity system in place and withdraw its proposed new pricing policy for the rates of transmission owners until such time as a cost-benefit analysis is completed that indicates a positive benefit from Northwest consumers, and the region expresses its desire to form a new transmission organizations; and

Your Memorialists further pray that in the event that the Federal Energy Regulatory Commission does not withdraw its proposal, the President and Congress take action to prevent the Federal Energy Regulatory Commission from proceeding with their proposal.

Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Honorable Spencer Abraham, the Secretary of the United States Department of Energy, the Members of the Federal Energy Regulatory Commission, Chairman Patrick Wood, III, Commissioner Nora M. Brownell, and Commissioner William L. Massey, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-141. A concurrent resolution adopted by the Legislature of the State of Michigan relative to fuel cell research projects; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 14

Whereas, In his State of the Union address, President Bush identified fuel cell research as a national priority. While this move holds great significance for our entire country, the urgency for developing a new energy source is most acutely understood in Michigan; and

Whereas, Through the resources of the automotive industry, smaller companies across our state, and university research being conducted at numerous locales, the drive to develop the fuel cell as the next generation energy source has been in high gear in Michigan for many years. The human and technological resources Michigan has as the home of the auto industry indicates both our state's capacity for fuel cell research and its stake in advancing the next generation of energy. Michigan's efforts include innovative approaches to virtually all aspects of the infrastructure necessary to develop fuel cells, including work on the storage and transportation of hydrogen; and

Whereas, In addition to well-known efforts within the auto industry, Michigan is also the site of research seeking to develop fuel cell applications for homes and businesses.

Michigan businesses are working closely with university researchers on these projects; and

Whereas, Michigan has made a significant commitment to encouraging enterprise in the field of emerging energy development. The Ninety-first Legislature enacted the "NextEnergy" package of legislation to promote energy research, especially fuel cell technology. These acts created a series of tax credits, exemptions, and deductions for businesses working on alternative energy technologies, in addition to providing for alternative energy zones to spur investment. The Next Energy Authority created in the Department of Management and Budget reflects the depth of the state's commitment. Clearly, Michigan is uniquely suited for research devoted to establishing a hydrogen-based means of generating energy for our cars, homes, and businesses; now, therefore, be it

Resolved by the Senate (the House of Representative concurring), That we memorialize the President and Congress of the United States to pursue and support fuel cell research projects in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-142. A joint resolution adopted by the Senate of the Legislature of the State of Montana relative to Arctic National Wildlife Refuge; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 22

Whereas, stable, affordable energy is vital to the economy and security of the people of the State of Montana and the United States of America; and

Whereas, the United States has become increasingly dependent on foreign supplies of crude oil to meet our energy needs and is now importing more than 55% of the nation's crude oil needs; and

Whereas, dependence on imports is rising and could exceed 65% by the year 2020 due to growth in demand and falling production; and

Whereas, the recent events in Venezuela and other international problems have caused uncertainty in the commodities markets about the future supply of oil; and

Whereas, these among other factors have resulted in an increase in the price of crude oil to over \$33 per barrel and, with crude oil costs being the largest component of the retail price of petroleum products, has resulted in a significant increase in the national average price of gasoline and has similarly increased the price of other petroleum products vital to the economy of the United States and the lives of its citizens; and

Whereas, the U.S. Department of Energy estimates the Coastal Plain of the Arctic National Wildlife Refuge (ANWR) contains between 5.7 and 16 billion barrels of recoverable oil; and

Whereas, production from the Coastal Plain of ANWR could produce up to 1.5 million barrels of oil per day for at least 25 years, which is comparable to the volumes the United States is expected to import from Iraq for the next 25 years and which represents nearly 25% of current daily U.S. production, and could save \$14 billion dollars per year in oil imports; and

Whereas, ANWR consists of 19 million acres, of which 8 million are classified as wilderness, 9.5 million are designated as national refuge lands, and 8% or 1.5 million

acres comprise the Coastal Plain for which the potential for oil and gas production was acknowledged by Congress in the Alaska National Interest Lands Conservation Act of 1980; and

Whereas, oil and natural gas development and wildlife are successfully coexisting and advanced technology has greatly reduced the "footprint" of Arctic oil development; and

Whereas, the Alaska State AFL-CIO and the Alaska Federation of Natives support responsible oil and gas development on the Coastal Plain of ANWR; and

Whereas, environmentally responsible exploration, development, and production of oil on the Coastal Plain of ANWR will provide incomes to federal and state governments and general jobs and business opportunities for residents in all 50 states; and

Whereas, the people of Montana, while in general and qualified support of continued development of fossil fuels, recognize that further development of fossil fuels addresses the short-term needs of our nation's energy independence; and

Whereas, the people of Montana agree with the comments of President Bush during the 2003 State of the Union Address that the development of alternative energy sources, which would make America truly independent, is the preferred path for our country; and

Whereas, the people of Montana recognize that development of alternative energy sources, including solar, hydrogen, wind, fuel cell, ethanol, and biodiesel fuels, constitutes a preferred alternative to long-term energy development; and

Whereas, people of Montana understand that development of certain alternative energy sources, such as ethanol and biodiesel fuel, would enhance the economic and agricultural base of our great state; and

Whereas, people of Montana further acknowledge that the efficient use of our existing energy resources in a critical and strategic priority in order to ensure our energy independence; and

Whereas, America has demonstrated the ability to dramatically reduce the energy consumption in past times of national crisis through fuel efficiency standards for automobiles, installation of industrial efficiency measures, and a conservation ethic among consumers.

Now, therefore, be it resolved by the Senate and the House of Representatives of the State of Montana:

(1) That the Congress of the United States be urged to take action to stabilize domestic crude oil supplies through facilitating additional production, to decrease our nation's need for foreign oil from undependable sources, to increase federal and state revenue from oil and gas leasing, and, subject to prioritizing those efforts described in subsection (2), to support the economy through addition of good paying jobs by opening the Coastal Plain of the Arctic National Wildlife Refuge to oil and gas leasing and environmentally responsible exploration, development, and production of the petroleum reserved.

(2) That the Congress of the United States be urged to:

(a) increase support for development of new sources of renewable energy, such as biofuels (including biodiesel and ethanol), wind, and solar;

(b) pursue development and use of fuel efficient vehicles and development of new technologies such as fuel cells and other potential applications of emerging hydrogen technology; and

(c) develop programs and standards to encourage efficient use of existing resources in transportation, industrial and commercial processes, and consumer end uses.

Be it further resolved, That the Secretary of State send copies of this resolution to the Governor, the Montana Congressional Delegation, the Speaker of the U.S. House of Representatives, the President of the U.S. Senate, and the U.S. Secretary of the Interior.

POM—143. A resolution adopted by the Legislature of the State of Alaska relative to the Arctic National Wildlife Refuge; to the Committee on Energy and Natural Resources.

LEGISLATIVE RESOLVE NO. 4

Whereas, in sec. 1002 of the Alaska National Interest Lands Conservation Act (ANILCA) the United States Congress reserved the right to permit further oil and gas exploration, development, and production within the coastal plain of the Arctic National Wildlife Refuge, Alaska; and

Whereas the oil industry, the state, the United States Department of the Interior consider the coastal plain to have the highest potential for discovery of very large oil and gas accumulations on the continent of North America, estimated to be as much as 10,000,000 barrels of recoverable oil; and

Whereas the "1002 study area" is part of the coastal plain located within the North Slope Borough, and residents of the North Slope Borough, who are predominantly Inupiat Eskimo, are supportive of development in the "1002 study area"; and

Whereas oil and gas exploration and development of the coastal plain of the refuge and adjacent land could result in major discoveries that would reduce our nation's future need for imported oil, help balance the nation's trade deficit, and significantly increase the nation's security; and

Whereas domestic demand for oil continues to rise while domestic crude production continues to fall with the result that the United States imports additional oil from foreign sources; and

Whereas development of oil at Prudhoe Bay, Kuparuk, Endicott, Lisburne, and Milne Point has resulted in thousands of jobs throughout the United States, and projected job creation as a result of coastal plain oil development will have a positive effect in all 50 states; and

Whereas Prudhoe Bay production is declining by approximately 10 percent a year; and

Whereas, while new oil field developments on the North Slope of Alaska, such as Alpine, Badami, and West Sak, may slow or temporarily stop the decline in production, only giant coastal plain fields have the theoretical capability of increasing the production volume of Alaska oil to a significant degree; and

Whereas opening the coastal plain of the Arctic National Wildlife Refuge now allows sufficient time for planning environmental safeguards, development, and national security review; and

Whereas the 1,500,000-acre coastal plain of the refuge makes up only eight percent of the 19,000,000-acre refuge, and the development of the oil and gas reserves in the refuge's coastal plain would affect an area of 2,000 to 7,000 acres, which is less than one-half of one percent of the area of the coastal plain; and

Whereas 8,000,000 of the 19,000,000 acres of the refuge have already been set aside as wilderness; and

Whereas the oil industry has shown at Prudhoe Bay, as well as at other locations along the Arctic coastal plain, that it can safely conduct oil and gas activity without adversely affecting the environment or wildlife populations; and

Whereas the state will ensure the continued health and productivity of the Porcupine Caribou herd and the protection of land,

water, and wildlife resources during the exploration and development of the coastal plain of the Arctic National Wildlife Refuge, Alaska; and

Whereas the oil industry is using innovative technology and environmental practices in the new field developments at Alpine and Northstar, and those techniques are directly applicable to operating on the coastal plain and would enhance environmental protection beyond traditionally high standards;

Be it resolved by the Alaska State Legislature, That the Congress of the United States is urged to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production, and that the Alaska State Legislature is adamantly opposed to further wilderness or other restrictive designation in the areas of the coastal plain of the Arctic National Wildlife Refuge, Alaska; and be it

Further resolved, That that activity be conducted in a manner that protects the environment and the naturally occurring population levels of the Porcupine Caribou herd, and that uses the state's work force to the maximum extent possible; and be it

Further resolved, That the Alaska State Legislature opposes any unilateral reduction in royalty revenue from exploration and development of the coastal plain of the Arctic National Wildlife Refuge, Alaska, and any attempt to coerce the State of Alaska into accepting less than the 90 percent of the oil, gas, and mineral royalties from the federal lands in Alaska that was promised to the state at statehood.

Copies of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the Interior; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Bill Frist, Majority Leader of the U.S. Senate; the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and to all other members the U.S. Senate and the U.S. House of Representatives serving in the 108th United States Congress.

POM-144. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to the fuel cell research; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 17

Whereas, In his State of the Union address, President Bush identified fuel cell research as a national priority. While this move holds great significance for our entire country, the urgency for developing a new energy source is most acutely understood in Michigan; and

Whereas, Through the resources of the automotive industry, smaller companies across our state, and university research being conducted at numerous locales, the drive to develop the fuel cell as the next generation energy source has been in high gear in Michigan for many years. The human and technological resources Michigan has as the home of the auto industry indicates both our state's capacity for fuel cell research and its stake in advancing the next generation of energy. Michigan's efforts include innovative approaches to virtually all aspects of the infrastructure necessary to develop fuel cells, including work on the storage and transportation of hydrogen; and

Whereas, In addition to well-known efforts within the auto industry, Michigan is also the site of research seeking to develop fuel

cell applications for homes and businesses. Michigan businesses are working closely with university researchers on these projects; and

Whereas, Michigan has made a significant commitment to encouraging enterprise in the field of emerging energy development. The Ninety-first Legislature enacted the "NextEnergy" package of legislation to promote energy research, especially fuel cell technology. These acts created a series of tax credits, exemptions, and deductions for businesses working on alternative energy technologies, in addition to providing for alternative energy zones to spur investment. The Next Energy Authority created in the Department of Management and Budget reflects the depth of the state's commitment. Clearly, Michigan is uniquely suited for research devoted to establishing a hydrogen-based means of generating energy for our cars, homes, and businesses; now, therefore, be it

Resolved by the Senate, That we memorialize the President and Congress of the United States to pursue and support fuel cell research projects in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-145. A resolution adopted by the Senate of the Legislature of the State of Kansas relative to the F/A-22 Raptor; to the Committee on Armed Services.

SENATE RESOLUTION NO. 1871

Whereas, The Kansas Senate is pleased to join citizens across our great state, our nation, and the world in congratulating our troops on their recent victory in Iraq, as well as the hard working men and women across our state who design and assemble essential equipment and weaponry for our military; and

Whereas, Air dominance has become a signature of our armed forces and a determining factor when our military is drawn into combat throughout the world; and

Whereas, Kansas's defense and aerospace industry invests millions of dollars and employs thousands of highly skilled workers in Kansas; and

Whereas, Defense and aerospace companies in Kansas provide our military with cutting edge technological components that are used to assemble vital military products, like the United States Air Force's new generation fighter, the Lockheed Martin F/A-22 Raptor; and

Whereas, Projects like the F/A-22 Raptor will bring more than \$32 million dollars to the Kansas economy while providing thousands of Kansans with high quality jobs, thus stimulating the aerospace industry in the state; and

Whereas, The State of Kansas has a tradition of constructing both commercial and military aviation products and is the home of important components of our military's air capabilities, such as the 22nd Air Refueling Wing, as well as dedicated soldiers, sailors, marines and airmen flying and maintaining those aircraft at bases across the country; Now, therefore, be it

Resolved by the Senate of the State of Kansas, That the members of this body recognize that the F/A-22 Raptor is critical to the Kansas economy and that the members of this body implore the Congress of the United States to fully fund the F/A-22 program, thus providing our military heroes with the vital resources they need and invigorating our economy; and be it further

Resolved, That the Secretary of the Senate be directed to send enrolled copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and to each member of the Kansas legislative delegation.

POM-146. A resolution by the Legislature of the State of Arizona relative to weapons of mass destruction; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION 1021

Whereas, the people of the State of Arizona view with growing concern the proliferation of nuclear, chemical and biological weapons of mass destruction and the missile delivery capabilities of these weapons in the hands of unstable foreign regimes; and

Whereas, the tragedy of September 11, 2001 shows that America is vulnerable to attack by foreign enemies; and

Whereas, the people of the State of Arizona wish to affirm their support of the United States government in taking all actions necessary to protect the people of America and future generations from attacks by missiles capable of causing mass destruction and loss of American lives; therefore, be it *resolved by the senate of the State of Arizona*, the house of representatives concurring:

1. That the Members of the Legislature support the President of the United States in directing the considerable scientific and technological capabilities of this nation and in taking all actions necessary to protect the states and their citizens, our allies and our armed forces abroad from the threat of missile attack.

2. That the Members of the Legislature convey to the President and Congress of the United States that a coast-to-coast, effective missile defense system will require the deployment of a robust, multi-layered architecture consisting of integrated land-based, sea-based and space-based capabilities to deter evolving future threats from missiles as weapons of mass destruction and to meet and destroy them when necessary.

3. That the Members of the Legislature appeal to the President and Congress of the United States to plan and fund a missile defense system beyond 2005 that would consolidate technological advancement and expansion from current limited applications.

4. That the Secretary of State of the State of Arizona transmit copies of this Resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of Congress from the State of Arizona.

POM-147. A resolution adopted by the House of the Legislature of the State of Kansas relative to the F/A-22 Raptor; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 6027

Whereas, The Kansas House of Representatives is pleased to join citizens across our great state, our nation, and the world in congratulating our troops on their recent victory in Iraq, as well as the hard working men and women across our state who design and assemble essential equipment and weaponry for our military; and

Whereas, Air dominance has become a signature of our armed forces and a determining factor when our military is drawn into combat throughout the world; and

Whereas, Kansas' defense and aerospace industry invest millions of dollars and employs thousands of highly skilled workers in Kansas; and

Whereas, Defense and aerospace companies in Kansas provide our military with cutting edge technological components that are used to assemble vital military products, like the

United States Air Force's new generation fighter, the Lockheed Martin F/A-22 Raptor; and

Whereas, Projects like the F/A-22 Raptor will bring more than \$32 million dollars to the Kansas economy while providing thousands of Kansans with high quality jobs, thus stimulating the aerospace industry in the state; and

Whereas, The State of Kansas has a tradition of constructing both commercial and military aviation products and is the home of important components of our military's air capabilities, such as the 22nd Air Refueling Wing, as well as dedicated soldiers, sailors, marines and airmen flying and maintaining those aircraft at bases across the country; Now, therefore,

Be it resolved by the house of representatives of the State of Kansas, That the members of this body recognize that the F/A-22 Raptor is critical to the Kansas economy and that the members of this body implore the Congress of the United States to fully fund the F/A-22 program, thus providing our military heroes with the vital resources they need and invigorating our economy; and

Be it further resolved, That the Chief Clerk of the house of representatives be directed to send enrolled copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and to each member of the Kansas legislative delegation.

POM-148. A resolution adopted by the House of the Legislature of the Commonwealth of Virginia relative to missile defense programs; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 40

Whereas, Virginia, the Old Dominion, located in the upper South region of the United States and populated by more than 7,000,000 persons, is noted for its contribution to the founding of the United States through leadership and political thought, maintains distinguished centers of higher education and research, is the site of advanced information and defense technology, is the center of national naval force concentration, and is the foremost shipbuilder on its coast, while possessing natural endowments of mountains and forests on its western limits and agriculture on its southern tier; and

Whereas, the people of Virginia are conscious of these assets of the Old Dominion and desire a favorable future for their children and future generations; and

Whereas, Virginia provided leadership in the Revolutionary War, was the location of the surrender of Great Britain that ended it, and has contributed notably to national defense through its citizenry both in the military and industry ever since; and

Whereas, the people of Virginia are aware of the global proliferation of short-range, medium-range, and long-range ballistic missiles as weapons of mass destruction and their threat to our nation, our allies, and our armed forces abroad; and

Whereas, the United States does not possess an effective defense against such missiles launched by hostile states, by terrorist organizations within the borders of such states, or from ships anywhere on the world's seas and oceans, including near the coastal cities of America; and

Whereas, the President of the United States has withdrawn from the treaty with the now-extinct Soviet Union that prohibited effective American self-defense against ballistic missile attack and has announced the deployment of a ground-based and sea-based limited missile defense system by the year 2005 as a beginning toward a robust system that will be multilayered, meaning land, sea, air, and space interception components; and

Whereas, short-range and medium-range ballistic missiles launched from ships off the East Coast of the United States would be outside the protective reach of the Pacific Ocean-based and Alaska-based system, and the population of Virginia's Tidewater, as well as the preponderant national naval presence located there, are now vulnerable and will be still vulnerable to such a missile attack with warheads of mass destruction after planned deployment in 2005 of missile defenses in Alaska and California; and

Whereas, missile defense interceptors based in Alaska and California may not be able to protect the population of Virginia's Tidewater and other East Coast areas from long-range ballistic missiles launched from threatening states in the Middle East and North Africa; and

Whereas, the United States Navy has demonstrated its capability to use ships that can be based in Virginia's Tidewater area to intercept short-range and medium-range ballistic missiles while they are rising from their launchers, which could be on nearby ships, and this capability can be improved to intercept long-range ballistic missiles; now, therefore, be it

Resolved, That the Virginia House of Delegates hereby urge the President of the United States to continue to take all actions necessary, directing the considerable scientific and technological capability of this great Union, to protect all 50 states and their people, our allies, and our armed forces abroad from the threat of missile attack; and, be it

Resolved further, That the Virginia House of Delegates hereby convey to the President of the United States and the United States Congress that an ocean-to-ocean, effective missile defense system will require the deployment of a robust, multilayered architecture consisting of integrated land-based, sea-based, air-based, and space-based capabilities to deter evolving future threats and to meet and destroy them when necessary; and

Resolved further, That the Virginia House of Delegates urge the President of the United States and the United States Congress to plan and provide funding for a Tidewater Virginia and East * * *

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POM-149. A concurrent resolution adopted by the Senate of the Legislature of the State of Michigan relative to homeland security; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 20

Whereas, As our country continues to put in place stronger defenses against terrorism through homeland security measures, a key component will be the establishment of regional headquarters for the United States Department of Homeland Security. The President has called for regional centers in his 2004 budget proposal; and

Whereas, In the Midwest, an excellent site for a regional headquarters is the Selfridge Air National Guard Base in Macomb County. The advantages this location offers range from low costs, unsurpassed strategic significance, and facilities that can provide for a swift and smooth transition to the responsibilities of homeland security work; and

Whereas, Located at the heart of the nation's freshwater network and near several of the busiest international points of entry along our northern border, Selfridge is well positioned to handle quickly any type of task to protect America's people, resources, and infrastructure. Clearly, this location offers opportunities for enhanced responsiveness to the challenges before us in safeguarding our nation in the years ahead; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Department of Homeland Security to locate its Midwestern headquarters at the Selfridge Air National Guard Base in Macomb County; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of the United States Department of Homeland Security, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-150. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Medicare; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 52

Whereas, Mental health and emotional stability are key components of every person's overall health and well-being. The correlation between mental health and physical health is well established. However, there are numerous situations in which mental health and mental health services are considered far differently than physical maladies; and

Whereas, Under the current practices of our Medicare system, several types of mental health and counseling services are not covered. This omission is especially inappropriate in view of the fact that senior citizens often face more challenges to their emotional and mental well-being than other age groups. Senior citizens suffer from depression at higher rates than other age groups, for example; and

Whereas, Congress has before it a measure that would address this gap in Medicare coverage. The Seniors Mental Health Access Improvement Act, S. 310, would amend the Medicare system to provide for the coverage of marriage and family therapist services and mental health counselor services under Part B of Medicare. The impact of adding this coverage would be beneficial not only to countless individuals and families, but also to the Medicare system through the improved overall health it would encourage. Now, therefore, be it.

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to include the services of licensed professional counselors and marriage and family therapists among services covered under Medicare; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegations.

POM-151. A resolution adopted by the town of New Castle of the State of New York relative to the Indian Point Nuclear Power Plants; to the Committee on Environment and Public Works

Whereas, the Town of New Castle seeks to ensure the public health and safety of those who live and/or work within the town, and

Whereas, the Town of New Castle has been coordinating efforts with the Westchester County Board of Legislators for the past three years to monitor the County's Emergency Evacuation Plan that would be put into effect in the event of a radiological incident at the Indian Point Nuclear Power Plants, and

Whereas, the Town of New Castle has supported the Westchester County Board of Legislators' efforts to obtain an independent, non-governmental assessment of the ability of the County's Emergency Evacuation Plan to achieve its goals to ensure public health and safety, and

Whereas, as a result of serious questions raised regarding the Westchester County's Emergency Evacuation Plan at the Indian Point Nuclear Power Plants, an independent, non-governmental assessment was made of the ability of Plan to achieve its goals of protecting public health and ensuring public safety, and

Whereas, under contract with the State of New York such as assessment has been made by James Lee Witt associates, LLC and their finding included: (1) The plans are built on compliance with regulations, rather than a strategy that leads to structures and systems to protect from radiation exposure; (2) The plans appear based on the premise that people will comply with official government directions rather than acting in accordance with what they perceive to be their best interest; (3) The plans do not consider the possible additional ramifications of a terrorist caused release; (4) The plans do not consider the reality and impacts of spontaneous evacuation; and (5) Response exercises designed to test the plans are of limited use in identifying inadequacies and improving subsequent responses; and

Whereas, these deficiencies have, in turn, called into question the ability of the Plan to achieve the goals of protecting public health and ensuring public safety: Now therefore be it

Resolved, That security at the Indian Point Nuclear Power Plants needs to be placed under the control of the United States military and that this be done without further delay, and be it further

Resolved, That the New Castle Town Board calls upon the County, State and Federal Governments to immediately begin to implement those recommendations of the Witt Report relevant to their respective responsibilities in and for the Emergency Evacuation Plan, and be it further

Resolved, That the New Castle Town Board calls upon the County Executive or any other official and/or employee of the County of Westchester to not issue a radiological emergency preparedness activities form or any other official communication that would in any way state or imply that the Emergency Evacuation Plan as it currently exists is capable of achieving its goals of protecting public health and ensuring public safety in the event of a radiological incident, and be it further

Resolved, That the New Castle Town Board calls upon the Governor of the State of New York, in recognition of the refusal of the County Executives of all four affected Counties to issue letters of certification (also known as checklists) concerning the efficiency of the Emergency Evacuation Plan, to refuse to certify said Plan to the Federal Emergency Management Agency, and be it further

Resolved, That the New Castle Town Board calls upon the Federal Emergency Management Agency to decertify the Emergency Evacuation Plan as inadequate to protect the public health and to ensure public safety, and be it further

Resolved, That the New Castle Town Board calls upon the Nuclear Regulatory Commission, in recognition of the inadequacies of the Emergency Evacuation Plan to protect the public health and to ensure public safety, to order an immediate shutdown of the Indian Point Nuclear Power Plants until such time as it can be demonstrated that a revised emergency evacuation plan, which addresses all the inadequacies of the current Emergency Evacuation Plan as described in the James Lee Witt Associates, LLC Report, can achieve its goals of protecting the public health and ensuring public safety. Such revised emergency evacuation plan should pay particular attention to the recommendation

that the emergency evacuation plan of "any plant adjacent to high population areas should have different requirements than plants otherwise situated, because protective actions are more difficult and the consequences of failure or delay are higher," and be it further

Resolved, That the New Castle Town Board calls upon the Nuclear Regulatory Commission to begin the decommissioning process to reduce the vulnerability of the Indian Point Nuclear Power Plants at the earliest possible date, and be it further

Resolved, That the New Castle Town Board hereby directs that its will and its desire as expressed through this Resolution be transmitted to all appropriate parties within the County, State and Federal governments empowered to act upon and effect the provisions as stated herein.

POM-152. A resolution adopted by the House of the Legislature of the State of Michigan relative to the transportation funds; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 9

Whereas, For several decades, Michigan has sent much more federal highway tax money to Washington than it has received in return. This imbalance has helped our nation build the country's highway infrastructure. With the national infrastructure largely completed, the continuation of the imbalance has created a serious challenge for Michigan and other "donor states"; and

Whereas, Michigan, which typically loses between \$150 million and \$400 million each year by sending more to Washington than it receives, is severely hampered. The unfair practice of contributing hundreds of millions of dollars beyond the amount we receive to fund projects in other parts of the country makes it far more difficult for Michigan to maintain the quality of its highways. The loss of funding also represents a serious loss of economic activity; and

Whereas, The chairman of the House Transportation and Infrastructure Committee and the chairman of the Senate Environment and Public Works Committee in Congress have proposed a major change in how federal highway funds are distributed. They have called for a funding formula that would guarantee that all states receive a minimum of 95 percent of what they each contribute to the federal highway program; and

Whereas, The potential impact for Michigan of a guarantee of at least 95 percent of this funding would be very significant. Even as the economy calls for more careful public expenditures, this proposed policy change would help Michigan and bring greater fairness to the issue of transportation spending. Citizens, visitors, and businesses of this state would benefit enormously from this long overdue policy: Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to provide that all states receive a minimum of 95 percent of transportation funds sent to the federal government and to urge Congress to make the return of transportation money to the states a higher priority within existing federal revenues; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-153. A resolution adopted by the House of the Legislature of the State of Michigan relative to the Solid Waste; to the

Committee on Environment and Public Works.

HOUSE RESOLUTION No. 10

Whereas, In 1992, the United States Supreme Court, in *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources*, ruled that states could not ban the importation of solid waste because Congress has the ultimate authority to regulate interstate commerce. Since that time, Michigan has become the dumping ground for increasing amounts of solid waste from out of our state and our country; and

Whereas, Michigan is the third-largest importer of solid waste in the country. Approximately 20 percent of all trash in Michigan landfills now originate outside of Michigan. The amounts have increased significantly in the past several years, and recent reports of a major contract with Ontario and of the closing of the nation's largest landfill in New York seem to indicate this issue will loom larger in the future; and

Whereas, An agreement between the city of Vaughan, Ontario, and Carleton Farms in Wayne County's Sumpter Township will thrust Michigan into being the second-largest importer of solid waste in the country next year, as Michigan will be accepting a large majority of the city of Toronto's municipal solid waste; and

Whereas, Accepting unlimited volumes of trash from outside our state has serious long-term consequences. Long after the money from the contracts has been spent, a potential environmental threat continues, as does an obligation to monitor disposal sites to protect water and public health from toxic releases. Clearly, any state accepting these long-term risks should be able to regulate the creation of that risk, regardless of where it originate; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to give states the authority to ban importation of out-of-state solid waste; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-154. A resolution adopted by the Legislature of the Commonwealth of Virginia relative to funding nitrogen reduction technology (NRT); to the Committee on Environment and Public Works.

HOUSE RESOLUTION No. 38

Whereas, the Chesapeake Bay and its tributaries are national treasures that play a vital role in many sectors of Virginia's economy including the commercial seafood, recreational fishing, and tourism industries; and

Whereas, while significant progress has been made in restoring the Chesapeake Bay and its tributaries, they remain in a significantly degraded condition; and

Whereas, nitrogen pollution, the most serious problem facing water quality in the Bay today, results in excessive algae growth that clouds water, depletes oxygen, and severely impacts vital bay grasses, young fish, and crabs; and

Whereas, the Commonwealth is a signatory to the Chesapeake 2000 Agreement, in which Virginia pledged to significantly reduce pollution sufficient to remove the Chesapeake Bay from the United States Environmental Protection Agency's impaired waters list by 2010; and

Whereas, upgrading sewage treatment plants, which currently contribute 61 million pounds of nitrogen annually to the Bay, is one of the most cost-effective steps that can

be taken to significantly reduce nitrogen pollution; and

Whereas, sewage treatment plants in Virginia discharge up to 25 milligrams of nitrogen per liter of wastewater, while current technology allows the nitrogen content of treated wastewater to be reduced to only 3 milligrams per liter; and

Whereas, United States Senators of Virginia and the United States House of Representatives from the 1st, 3rd, 4th, 6th, 8th, 10th, and 11th Virginia Congressional Districts have introduced legislation to provide cost-share grant funding to allow Bay watershed sewage treatment plants to substantially reduce their nitrogen pollution by installing NRT; now, therefore, be it

Resolved by the House of Delegates, That the Congress of the United States be urged to adopt legislation in support of funding for nitrogen reduction technology (NRT) in the 108th Congress; and, be it

Resolved further, That the Clerk of the House of Delegates transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the House of Delegates of Virginia in this matter.

POM-155. A joint resolution adopted by the Legislature of the State of Washington relative to the Forest Service; to the Committee on Agriculture, Nutrition, and Forestry.

SUBSTITUTE SENATE JOINT MEMORIAL 8002

Whereas, Wildfires in forest areas are increasing at an alarming rate with the 2002 fire season one of the most severe since the 1940s; and

Whereas, There are over 180 million acres of public land near communities with a high risk of fire; and

Whereas, Forest health both in Washington state and throughout the nation has been on a steady decline in many forests over the last thirty years; and

Whereas, Forest insect infestations, disease, overly dense forests, weeds, and brush and shrub build-up are increasing problems; and address all forest health issues in order to stem the tide of forest and grazing land wildfire, insect infestations, disease, and environmental degradation; and

Be it further resolved, That federal and state agencies work with all stakeholders to promote efforts that provide policy solutions and to conduct field operations so that our nation's public forests' health issues can be addressed; and

Be it further resolved, That Congress provide adequate funding levels for the United States Forest Service and continually assess the progress towards a healthy forest environment;

Be it further resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Honorable Ann M. Veneman, Secretary of the Department of Agriculture, Dale Bosworth, Chief of the Forest Service, and the Honorable Gail A. Norton, Secretary of the Department of the Interior, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-156. A joint resolution adopted by the Legislature of the State of Washington relative to the government involvement in the wheat market; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE JOINT MEMORIAL 8015

Whereas, Wheat farming is the major industry in many rural regions of Washington

State and thus the health of the industry is inextricably linked to the economic health of the populations in these rural regions; and

Whereas, Approximately one hundred fifty million bushels of wheat is produced annually on two and one-half million acres by five thousand farms and generates four hundred fifty million dollars in gross crop value, placing Washington State third in the nation among wheat producing states; and

Whereas, Washington is one of the largest and most heavily reliant of the wheat exporting states with up to ninety percent of the state's production being exported each year; and

Whereas, The wheat production in Washington State is predominantly by family farm operations that are as efficient and productive as any growers in the world and that produce the highest quality product possible; and

Whereas, Despite being the most efficient producers of the highest quality product, low prices received by farmers in recent years, especially for those farmers with loan obligations, have resulted in the continual erosion in many farmers' net worths and a loss of farming operations; and

Whereas, Because prices for wheat in recent years, including funds from government programs, have frequently been at or below the cost of production, the wheat farming community is very sensitive to significant government actions that affect supply and demand and depress wheat prices; and

Whereas, The price of the soft white wheat predominately grown in Washington reached a high in early fall of four dollars and eighty cents per bushel at the Portland grain terminal but has fallen dramatically by over one dollar per bushel due to a combination of factors, including large sales over a short period of time from federally held grain reserves and the labor dispute causing the cessation in the shipment of grain at export facilities; and

Whereas, A bushel of wheat makes forty-two pounds of flour, which makes sixty-six loaves of bread, and comprises only six cents of the one dollar and thirty cents average retail price per loaf;

Now, therefore, Your Memorialists respectfully pray that new federal procedures be established to assure that future sales of wheat stocks from federally held grain reserves be conducted in a manner that such sales will not unduly disrupt the market while also fulfilling the original intent of providing for emergency humanitarian food needs in developing countries.

Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Honorable Ann M. Veneman, Secretary of the United States Department of Agriculture, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-157. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the cotton production insurance; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT RESOLUTION No. 90

Whereas, the majority of cotton producers in the state of Louisiana are in support of crop insurance based on the cost of production; and

Whereas, Louisiana has experienced several consecutive years with natural disasters that have reduced actual production history; and

Whereas, many producers have found that their level of coverage is either too high, eroded, or unavailable as a result of consecutive years with natural disasters; and

Whereas, cost of production insurance will provide producers and lending institutions more coverage and reliability and reduce the need for ad hoc disaster spending to cover production costs in the event of catastrophic natural disasters; and

Whereas, the taxpayers of this state and country deserve a more fiscally responsible plan than off-budget emergency spending to deal with catastrophic agricultural losses; and

Whereas, cost of production insurance is a concept that allows producers of cotton to insure between seventy and ninety percent of their documented variable costs of production; and

Whereas, cost of production insurance would greatly enhance each producer's ability to survive natural disasters and economic crises; and

Whereas, the United States Department of Agriculture's Risk Management Agency has received a proposal for implementation of a cost of production insurance pilot program from AgriLogic, Inc., and the Coalition of American Agriculture Producers, but has not yet implemented such a program, although the United States Congress has requested them to do so.

Therefore, be it resolved, That the Legislature of Louisiana does hereby urge and request the United States Secretary of Agriculture to expeditiously implement and expand cost of production insurance for cotton that is based on a producer's actual production cost history and to implement a cost of production insurance pilot program.

Be it further resolved, That a copy of this Resolution be transmitted to the President of the United States, the Secretary of the United States Department of Agriculture, the Speaker of the United States House of Representatives, the President of the United States Senate and to each member of the Louisiana Congressional Delegation.

POM-158. A resolution adopted by the House of the Legislature of the State of Michigan relative to Emerald Ash Borer; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION No. 36

Whereas, In an amazingly short period of time, an important species of tree in Michigan faces a devastating infestation from an insect known as the emerald ash borer. This beetle, which has also been found in Ontario and Ohio, is thought to have entered Michigan in 1997. Already, this insect has killed 5 million trees in the six-county area of southeastern Michigan. In response, the state has quarantined the six counties, where approximately 28 million ash trees are at risk; and

Whereas, The potential economic and ecosystem impact of this invading species would be dramatic across our state and potentially the entire country. In addition to what the loss of all ash trees would mean to the appearance of our homes, communities, and the entire state, ash trees constitute an important and versatile lumber resource that may be lost without swift and certain actions. As with any type of plant so widespread, the loss of Michigan's estimated one billion ash trees clearly could have unforeseen effects on our forest ecology; and

Whereas, The United States Department of Agriculture (USDA) must establish a federal quarantine for the emerald ash borer. Such action would provide uniform rules for slowing or containing the northern advance of the insect; guarantee sufficient protections for international commerce with Canada, which is also experiencing infestation; and allow for the compensation of a number of growers, distributors, retailers, and contractors within the quarantine area who have lost crops and sales without warning; and

Whereas, In an effort to save this species of tree, Michigan has asked Congress to provide financial assistance to state and municipal officials. In addition, these officials need technical assistance to develop a sound strategy of combating this destructive vermin, which clearly has the potential to cause great damage not only in Michigan, but across the country; Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to establish a quarantine for the emerald ash borer and provide assistance to help Michigan combat the infestation; and be it further

Resolved That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Department of Agriculture, and the members of the Michigan congressional delegation.

POM-159. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Emerald Ash Borer; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE RESOLUTION No. 49

Whereas, With alarming swiftness, the emerald ash borer, an aggressive Asian insect, is threatening virtually all of the ash trees in this state and region. In spite of a quarantine in 6 southeastern Michigan counties, this beetle has killed 5 million of the 28 million ash trees in the quarantined area. Overall, the emerald ash borer, an invasive species that is causing similar devastation in Ontario and Ohio, threatens as many as 700 million trees in our state; and

Whereas, Ash trees are very important to the ecology of our state. They are also used for many products in several sectors of the economy. Beyond these factors, the ash trees that grace our communities and neighborhoods are beloved shade trees that contribute enormously to the character and beauty of Michigan; and

Whereas, The Governor is working to secure quick help from the federal government to deal with this swiftly escalating problem. Michigan badly needs technical and financial assistance in the face of this emergency. The state has taken decisive actions to deal with this invasive species, but the magnitude of the problem and the immediacy of the issue make it clear that we need the swift assistance of Congress and the United States Department of Agriculture; now therefore, be it

Resolved by the senate, That we memorialize the Congress of the United States and the United States Department of Agriculture to provide assistance, including financial assistance, in the effort to deal with the infestation of the emerald ash borer; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-160. A resolution adopted by the House of the Legislature of the Commonwealth of the Northern Marianas relative to a constitutional amendment to prohibit Federal Judges from Ordering states, or local units of government, to increase or levy taxes; to the Committee on the Judiciary.

HOUSE RESOLUTION No. 12-109

Whereas, several State legislatures in the United States are adopting resolutions addressing a clear violation of the United States Constitution and the legislative process; and

Whereas, in 1990 the U.S. Supreme Court issued an opinion in the case of *Missouri v.*

Jenkins declaring that federal judges have a constitutionally based authority and power to levy or increase taxes; and

Whereas, many believe that this opinion is contrary to the intent and beliefs of our Forefathers, wherein, the three branches of the United States government are to be separate in power and responsibilities; and

Whereas, Alexander Hamilton, Federalist No. 78, states, "(T)here is no liberty, if the power of judging be not separated from the legislative and executive powers"; and

Whereas, the CNMI Legislature is in accord with these several states who are looking to the U.S. Congress to put an end to this dangerous practice of exercising legislative authority by the Supreme Court; and

Whereas, this is an effort to maintain our Forefathers intent of establishing a democratic body with principles that ensure our freedom and liberty, moreover, to protect the integrity of the U.S. Constitution and its intent to separate, and not duplicate, the powers of the Executive Branch, Legislative Branch, and Judicial Branch; now, therefore

Be it resolved, by the House of Representatives, Twelfth Northern Marianas Commonwealth Legislature, That the House is requested the U.S. Congress to pass a resolution calling for the adoption of an amendment to the United States Constitution which shall read: "Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision, thereof, or any official of such state or political subdivision, to levy or increase taxes."; and

Be it further resolved, That the Speaker of the House shall certify and the House Clerk shall attest to the adoption of this resolution and thereafter transmit copies to the Honorable Richard B. "Dick" Cheney, Vice-President of the United States and Presiding Officer of the U.S. Senate; to the Honorable Denny Hastert, Speaker of the U.S. House of Representatives; and the Honorable Walt Mueller, Senator, 15th District, State of Missouri.

POM-161. A resolution adopted by the House of the Legislature of the State of Michigan relative to Bovine Tuberculosis; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION No. 58

Whereas, Bovine tuberculosis is an infectious disease that poses a significant risk to domestic livestock, wildlife, companion animals, and humans throughout the world; and

Whereas, Bovine tuberculosis has many severe impacts beyond the disease itself. It increases costs, limits markets for livestock producers nationally and internationally, depresses interest in the state's hunting and tourism industries, and requires state resources for its eradication. These factors have impacted the families of northeastern Lower Michigan significantly; and

Whereas, Since the discovery of bovine tuberculosis in wild white-tailed deer in Michigan in 1995, and in cattle in 1998, the state of Michigan, in a partnership with Michigan State University, the livestock industry, the hunting and outdoors community, and local and federal officials, has worked diligently to control, contain, and eradicate the disease; and

Whereas, Through an aggressive testing plan for livestock and wildlife, Michigan is able to demonstrate to other states and the world that this disease is not present throughout the entire state of Michigan and that the tremendous efforts undertaken with both livestock and wildlife are moving the state toward eradication; and

Whereas, Federal assistance on technical, financial, and staff levels has been critical to

Michigan's efforts to eradicate bovine tuberculosis; and

Whereas, With many other current and emerging plant and animal diseases, resources are challenged at both the federal and state levels to address these diseases adequately; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to continue providing assistance to Michigan to help eradicate bovine tuberculosis; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the United States Department of Agriculture.

POM-162. A resolution adopted by the Senate of the Legislature of the State of Iowa relative to Best Buddies program; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 22

Whereas, there are more than 7.5 million people with intellectual disabilities in the United States and as many as 250 million worldwide; and

Whereas, individuals with intellectual disabilities often experience isolation and exclusion from community activities because of limited opportunities to associate with persons other than their immediate family and paid workers; and

Whereas, Best Buddies is a nonprofit organization dedicated to enhancing the lives of people with intellectual disabilities by providing opportunities for one-to-one friendships and integrated employment; and

Whereas, Best Buddies has grown from one chapter on one college campus to a vibrant, international organization involving participants annually on more than 750 middle school, high school, and college campuses in the United States, Canada, Cuba, Egypt, Greece, Ireland, and Sweden; and

Whereas, Best Buddies has touched the lives of over 175,000 individuals in its 13-year existence; and

Whereas, Best Buddies Iowa currently serves nine college chapters and nine high school chapters within our state and has a long-term goal of involving all schools within Iowa in its mission to bring friendship to individuals with intellectual disabilities; now therefore,

Be it resolved by the Senate, That the Iowa Senate appreciates the work that Best Buddies Iowa performs and urges the federal government to continue to fund this program; and

Be it further resolved, That the Iowa Senate encourages state agencies, county central points of coordination, education providers, and area education agencies to work with Best Buddies Iowa to find additional funding for a middle school program and to further expand its current programs into additional communities; and

Be it further resolved, That copies of this Resolution be sent by the Secretary of the Senate to the President of the United States, the President of the Senate of the United States, the Speaker of the United States House of Representatives; the majority and minority leaders of the United States Senate, the majority and minority leaders of the United States House of Representatives, and each member of Iowa's congressional delegation.

POM-163. A resolution adopted by the House of the Legislature of the State of Kansas relative to the Health Insurance Portability Accountability Act (HIPAA); to the

Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 6028

Whereas, The provisions of HIPAA are now in force with the stated purpose of simplifying health care administrative processes, and in the process, protecting individual privacy rights. Simplification is to be accomplished through the use of standardized, electronic transmission of administrative and financial data—which if successful should simplify health care record keeping and enhance the ability of private health insurance providers to process claims; and

Whereas, While the health and insurance industries may be aware of and executing the requirements of HIPAA, the recipients of health care, and individuals concerned of their condition, are confused and having difficulty comprehending the restrictions of the new procedures; and

Whereas, While patients have a right to their own health information, and while information regarding patients may be obtained by personal representatives or establishment of "significant other" relationships, it is urged information regarding whether a person is a patient at a facility, without disclosure of reason or condition, should be available to interested parties: now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge the Congress of the United States and implementing federal agencies to consider the provision of the information which does not disclose medically sensitive information to be available to inquiring persons; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to send an enrolled copy of this resolution to the President of the United States Senate, the Speaker of the United States House of Representative and to each member of the Kansas legislative delegation.

POM-164. A joint resolution adopted by the House of the Legislature of the Commonwealth of Virginia relative to the Carl D. Perkins Vocational and Applied Technology Act of 2003; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 752

Whereas, funding for career and technical education, which was formerly known as vocational/technical education, was initiated in 1917 by Congress with the passage of the Smith-Hughes Vocational Education Act and an appropriation of \$1.7 million in support of state programs across the country; and

Whereas, Congressional funding for career and technical education has been continuous since 1917 and was extended by the Carl D. Perkins Vocational and Applied Technology Act of 1984; and

Whereas, total federal funding for career and technical education in the 2003 fiscal year was \$1.3 billion, of which Virginia is receiving nearly \$25 million in basic grant funds and another \$2.5 million in tech prep grant funds; and

Whereas, 85 percent of Virginia's state grant or nearly \$18 million is being distributed to local school divisions, while more than \$3.1 million is being distributed to the Virginia Community College System and the remaining \$3.7 million is allocated to the Department of Education for state administration of career and technical education programs, including assessment, training, professional development, and improvement of academic skills; and

Whereas, local school divisions depend on the federal funding of career and technical education to accomplish many goals, including, but not limited to, strengthening students' academic, vocational, and technical

skills, implementing industry certification programs, expanding the use of technology, providing professional development to career and technical teachers, involving parents, local businesses, and labor and industry leaders in the design, implementation, and evaluation of career and technical programs in order to meet the needs of the local economy and to comply with nationally adopted standards; and

Whereas, career and technical education programs benefit Virginia's economy by providing crucial training to students of various ability levels and economic backgrounds, including gifted and talented students, traditional high school students, students with disabilities, and students who are bound for college and those who are bound for the world of work; and

Whereas, the Virginia Standards of Quality require career and technical education programs in the public schools that are "infused into the K through 12 curricula that promote knowledge of careers and all types of employment opportunities," and "competency-based career and technical education programs, which integrate academic outcomes, career guidance and job-seeking skills for all secondary students"; and

Whereas, Congress will take up reauthorization of this important law in the coming year and several proposals have been put forth that are troubling to local school divisions and suggest that consideration may be given to diverting the federal dollars to other priorities; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the Congress of the United States be urged to continue the funding for career and technical education in public secondary and postsecondary schools when reauthorizing the Carl D. Perkins Vocational and Applied Technology Act of 2003. The Congress also shall be urged, in order to maintain the vitality and success of Virginia's career and technical education programs in the Commonwealth's public secondary and postsecondary schools, to continue the funding of public career and technical education in an amount that will continue Virginia's \$27 million in funding or will increase this amount; and, be it

Resolved further, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HOLLINGS (for himself and Mr. STEVENS):

S. 1218. A bill to provide for Presidential support and coordination of interagency ocean science programs and development and coordination of a comprehensive and integrated United States research and monitoring program; to the Committee on Commerce, Science, and Transportation.

By Mr. EDWARDS (for himself, Mr. SMITH, and Mrs. CLINTON):

S. 1219. A bill to amend the national and Community Service Act of 1990 to establish a Community Corps, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALLARD (for himself, Mr. WYDEN, Mr. SMITH, Mr. INOUE, Mr.